

# **EXHIBIT B**

(Defendant's Proposed Case Management Scheduling Order)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**JOSEPH R. HERRON, individually and  
On behalf of all others similarly situated,**

**Plaintiff,**

**v.**

**INVESTMENT PROFESSIONALS, INC.,**

**Defendant.**

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**Civil Action No. 2:15-cv-01664-MPK**

**Chief Magistrate Judge Maureen P. Kelly**

**[PROPOSED] CASE MANAGEMENT SCHEDULING ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2016, IT IS HEREBY ORDERED that this action is placed under Local Rule 16.1 for pretrial proceedings, and all provisions of the Rule will be strictly enforced. Pursuant to Local Rule 16.1, the parties are directed as follows:

1. Within 120 days of the Court's Ruling on Plaintiff's Motion for Conditional Class/Collective Certification or Defendant's Motion for Summary Judgment [Dkt. 39], whichever is later and relevant, the parties shall complete class certification discovery within 120 days.
2. Plaintiff's Motion for Class Certification, Memorandum in Support, and all supporting evidence shall be filed within 90 days following the deadline for the class certification discovery.
3. Defendant's Memorandum in Opposition to Class Certification, and all supporting evidence, shall be filed by within 21 days of Plaintiff's filing of its Motion for Class Certification, Memorandum in Support.
4. Plaintiff's Reply Memorandum in Support of Class Certification, if any, shall be filed within 14 days of Defendant's Memorandum in Opposition to Class Certification.
5. Plaintiff's Expert Report as to class certification is due on or before **90 days before Plaintiff's Motion for Class Certification deadline.** Defendant's Expert Report as to class certification is

due on or before **60 days before Plaintiff's Motion for Class Certification deadline.**

Depositions of all class certification experts shall be on or before **30 days before Plaintiff's Motion for Class Certification deadline.**

6. The Class Certification hearing shall be held **30 days after Plaintiff files his Reply Memorandum in Opposition to Class Certification.**
7. The Court shall conduct a Post-Certification Determination Conference in the Chambers of Chief Magistrate Judge Maureen P. Kelly, Suite 9280, U.S. Post Office and Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania. Trial counsel shall attend and the parties shall be available by phone. The parties and the Court shall discuss how the case shall proceed in light of the disposition of the Class motion. Such Conference shall be scheduled by the Court.
8. All deadlines set forth in this Case Management Scheduling Order are vacated and moot in the event the Court (1) grants Defendant's pending motion for summary judgment; or (2) denies Plaintiff's pending motion for conditional class/collection certification.

By the Court:

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Hon. Maureen P. Kelly  
Chief Magistrate Judge